

## **VII. UNEMPLOYMENT INSURANCE BASED ON SERVICE FOR THE UNITED STATES**

Two special Federal programs—unemployment compensation for Federal civilian employees and unemployment compensation for ex-servicemen—are administered by State employment security agencies as agents of the Federal Government.

### **Unemployment Compensation for Federal Civilian Employees and for Ex-Servicemen**

The Secretary of Labor has entered into agreements with each State employment security agency under which State agencies, as agents for the Federal Government, administer the Federal unemployment compensation programs for Federal civilian employees and for ex-servicemen.

Determinations of eligibility for benefits and the amount of benefits paid under these programs are determined according to the terms and conditions of the applicable State unemployment insurance law. Thus, Federal civilian employees and ex-servicemen are subject to the same eligibility and disqualification provisions, and to the same benefit payment provisions, as are claimants for benefits under the State unemployment insurance system. The Secretary has also entered into agreements with the Puerto Rico Bureau of Employment Security and the Virgin Islands Employment Service under which benefits are paid in accordance with the applicable provisions of the District of Columbia Unemployment Compensation Act.

The Secretary of Labor has adopted regulations and procedures for the administration of the programs. The State employment security agencies (including the District of Columbia, Puerto Rico, and the Virgin Islands) are reimbursed or, when necessary under State law, are advanced funds to cover the benefits paid to Federal civilian employees and to ex-servicemen on the basis of Federal civilian and military service. Costs of administration are considered a necessary part of the cost of administration of the State unemployment insurance law.

*Unemployment compensation for Federal civilian employees.*—Title XV of the Social Security Act, excluding section 1511 which is applicable to ex-servicemen (Public Law 767, 83d Cong.), provides unemployment compensation for Federal civilian employees (UCFE). An eligible unemployed Federal worker is entitled to

unemployment compensation in the amounts and under the conditions of the unemployment insurance law of the State in which he last worked in Federal civilian employment or subsequent private covered employment or, if employed outside the United States, under the law of the State in which he resides when filing his claim. No compensation is payable for any period for which the individual has been paid lump sum terminal leave or mustering-out pay. Reports by Federal agencies of Federal civilian employment, wages, and reasons for separation are final and conclusive if they are made in accordance with the regulations and procedures prescribed by the Secretary of Labor. The State, however, makes its own determination of eligibility for benefits upon the basis of such reports.

*Unemployment compensation for ex-servicemen.*—In 1958 title XV was amended by adding section 1511 (Public Law 848, 85th Cong.), which provided a permanent unemployment compensation program for ex-servicemen (UCX) similar to the program outlined above for civilian employees of the Federal Government. An eligible ex-serviceman is entitled to unemployment compensation in the amounts and under the terms and conditions of the unemployment insurance law of the State in which he first files a claim which establishes a benefit year after his last period of Federal military service, on the basis of his military service which occurred during the State's base period. For benefit purposes, an ex-serviceman's wages are determined on the basis of his pay grade at separation using a schedule issued by the Secretary of Labor which specifies the applicable remuneration for each pay grade. No benefits are payable during periods covered by lump-sum terminal leave or mustering-out pay. Neither are benefits payable when the ex-serviceman is eligible to receive an education, training, subsistence, or educational assistance allowance from the Veterans Administration.

An ex-serviceman may qualify for UCX benefits if he entered the Armed Forces after January 31, 1955, or was separated after October 27, 1958. The applicable period of active service must total 90 or more continuous days unless separation from service occurred earlier because of an actual service-incurred injury or disability. The ex-serviceman must have been discharged or released under conditions other than dishonorable, he must not have received a bad conduct discharge, and, if an officer, he must not have resigned for the good of the service. After an ex-serviceman has met the qualifying requirements of section 1511 of the Social Security Act, the provisions of the applicable State unemployment insurance law apply in the same manner as they are applicable to other claimants subject to the State law.

